CANUCK LAW
Reporting That You're Not Getting Elsewhere (Do Your Own Research To Verify)

JUNE 4, 2025 BY RONNIE

Universal Ostrich Farms, Part 4: Foreclosures Worth Looking Into

Part 1: STATEMENT OF FACTS

[Using numbered paragraphs, set out a concise statement of the material facts giving rise to the plaintiff's claim.]

1. The Plaintiffs, KAREN ESPERSEN and ERIK ESPERSEN, (hereinafter the "Plaintiffs") c/o #15, 3105 31st Street, Vernon, British Columbia, and at all material times are the unregistered owners and equitable owners of a property located at 301 Langille Road, Edgewood, BC.

2. The Defendants, THOMAS OWEN QUIGLEY and CATHERINE ANN QUIGLEY, (hereinafter "the Defendants"), are the registered owners of a property located at 301 Langille Road, Edgewood, BC.

3. The property owned by the Plaintiffs and the Defendants is located at 301 Langille Road, Edgewood, BC, bearing PID Number 013-753-177, THE WEST ½ OF THE NORTHWEST ¼ OF SECTION 12 TOWNSHIP 69 KOOTENAY DISTRICT EXCEPT PARCEL A (SEE 164186I)

   (hereinafter the "Property").

4. The Plaintiffs were the legal and equitable owners of the Property for approximately 14 years until financial issues arose. The Property was subject to a foreclosure in 2013. Catherine Ann Quigley and Thomas Owen Quigley approached the Plaintiffs and offered assistance.

The memes write themselves: the Espersens are the “undocumented owners”.

The short explanation is that they *previously* owned the land, but lost it when RBC foreclosed for non-payment. They’ve been trying to get at least a portion of it back, but things have gotten complicated. More on that later.

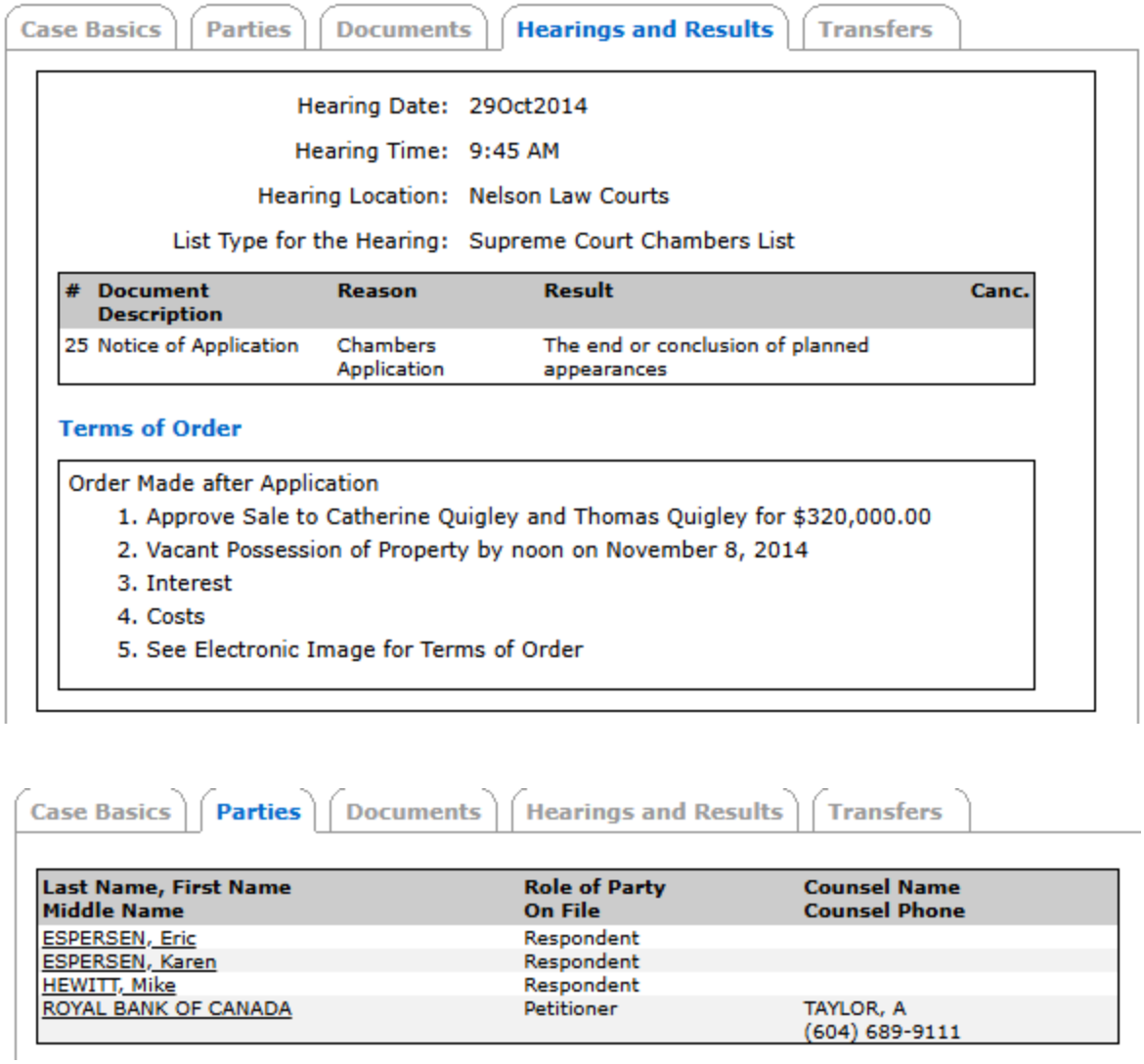
Universal Ostrich Farms has been busy fundraising as of late, under the guise of fighting a Canada Food Inspection Agency (CFIA) cull order. Among other options, the organization has GoFundMe and GiveSendGo pages up, soliciting donations. Money can also be sent via etransfer or cheque.

See Parts 1, 2 and 3 in the series for more information.

A reasonable question is this: how will donor money be spent? Keep in mind, once payment is made, it’s virtually impossible to ensure any sort of accountability for how it’s used. And there certainly are concerns here.

Looking through the British Columbia Court Services Online (BC CSO) system, there’s a lot that donors aren’t being told. For starters, the number of mortgage defaults is troubling. The topic definitely requires follow-up, but here are some notable civil cases.

Farm Foreclosure To RBC => Sold To Quigleys



Case Basics | Parties | Documents | Hearings and Results | Transfers

Hearing Date: 29Oct2014
Hearing Time: 9:45 AM
Hearing Location: Nelson Law Courts
List Type for the Hearing: Supreme Court Chambers List

#	Document Description	Reason	Result	Canc.
25	Notice of Application	Chambers Application	The end or conclusion of planned appearances	

Terms of Order

Order Made after Application
1. Approve Sale to Catherine Quigley and Thomas Quigley for $320,000.00
2. Vacant Possession of Property by noon on November 8, 2014
3. Interest
4. Costs
5. See Electronic Image for Terms of Order

Case Basics | Parties | Documents | Hearings and Results | Transfers

Last Name, First Name Middle Name	Role of Party On File	Counsel Name Counsel Phone
ESPERSEN, Eric	Respondent	
ESPERSEN, Karen	Respondent	
HEWITT, Mike	Respondent	
ROYAL BANK OF CANADA	Petitioner	TAYLOR, A (604) 689-9111

November 2012, RBC filed a Petition against Karen Espersen over a default in their mortgage, located in Section 12 Township 69 of Kootenay District. They were unable to pay their bills, so the bank came for their property.

RBC refers to the property as Kootenay District. The other parties, in subsequent litigation, list it as Langille Road in Edgewood, B.C.

On October 29th, 2014, the Nelson Court certified an order which saw Catherine and Thomas (Owen) Quigley become the new owners. They paid $320,000 for it, and it was to be effective on November 8th, 2014.

Oddly, an "interested party" was seeking documents in 2023. And no, it wasn't me.

Espersens Sue Quigleys To Regain Ownership

After the foreclosure, that wasn't the end of it.

The Espersens made an agreement with the Quigleys. It was to see the land subdivided, and eventually, they would regain at least a piece of what they had lost. However, things didn't work out as planned.

June 2021, the Espersens filed a Notice of Civil Claim against the Quigleys. They claim that they've fulfilled their obligations, and ask that a portion of the land be transferred to them. They listed in detail the expenses they had contributed overall. It's also stated that they were paying rent on the property. From 2015 to 2018, it was $1,300 per month. Since then, the amounts were $1,200 per month.

In their Response, at paragraph 12, it's stated that the proposed subdivision of the property was denied. Afterwards, the Espersens allegedly demanded the entire property back. In their Amended Response, their clarify that this problem with splitting the property is largely (although not entirely) why things soured.

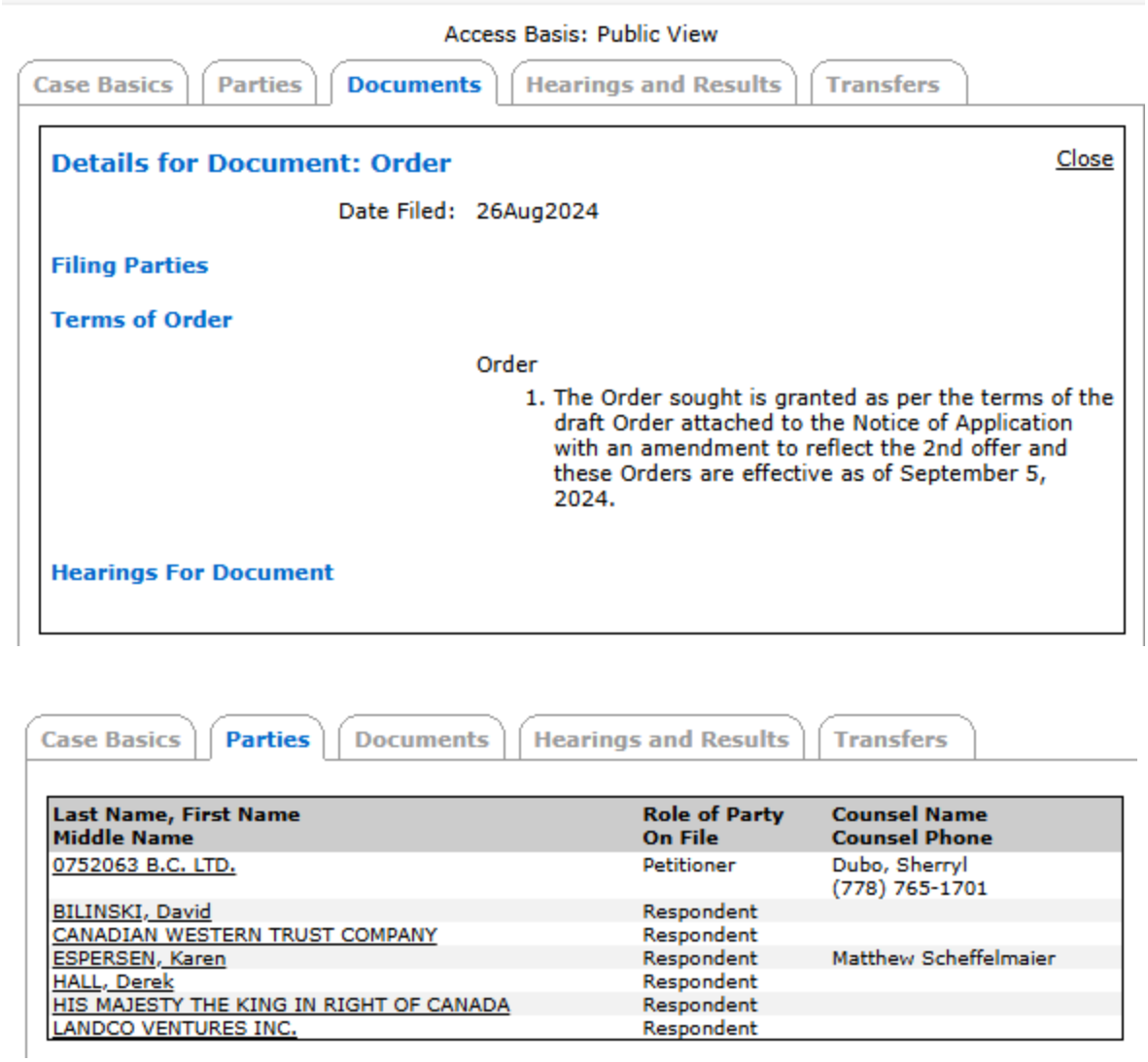
In 2024, because so much time had lapsed, the Quigleys had to seek permission to file a Counterclaim against the Esperens. It was granted. In it, they demanded that the Court they are the sole owners. One of the problems is that the Espersens allowed the Bilinskis to move into a second house on the property, which presumably wasn't part of the agreement.

One of the other allegations in the Counterclaim is that the ostrich farm has obstructed the ability of the Quigleys to do their own hay farming. In their Response, the Espersens invoke the Statute of Limitations, implying that it was too late anyway.

Now, the Trial was *supposed* to begin in April 2025. Unsurprisingly, it has been postponed until April 2026. It seems that a lot was going on with the CFIA.

Do the people donating to this farm know that they're not the owners? Are they aware that there's a very real possibility that they could be kicked out anyway? One has to wonder if all of this money will be used to fight the CFIA, or if some will end up going to Trial costs.

Espersen/Bilinski Have Joint Foreclosure In 2024



Access Basis: Public View

Case Basics | Parties | Documents | Hearings and Results | Transfers

Details for Document: Order Close

Date Filed: 26Aug2024

Filing Parties

Terms of Order

Order

1. The Order sought is granted as per the terms of the draft Order attached to the Notice of Application with an amendment to reflect the 2nd offer and these Orders are effective as of September 5, 2024.

Hearings For Document

Case Basics | Parties | Documents | Hearings and Results | Transfers

Last Name, First Name Middle Name	Role of Party On File	Counsel Name Counsel Phone
0752063 B.C. LTD.	Petitioner	Dubo, Sherryl (778) 765-1701
BILINSKI, David	Respondent	
CANADIAN WESTERN TRUST COMPANY	Respondent	
ESPERSEN, Karen	Respondent	Matthew Scheffelmaier
HALL, Derek	Respondent	
HIS MAJESTY THE KING IN RIGHT OF CANADA	Respondent	
LANDCO VENTURES INC.	Respondent	

October 2022, Espersen and Bilinski were hit with another Petition, this time in Section 13 Township 69 of Kootenay District. The Court approved the sale in the Summer of 2024.

David Bilinski Has History Of Foreclosures

Results: 1 - 30 of 51 1 2 Next>

Last Name, First Name *Style of Cause*	Classification of File	Court Location	File Number	Date File Opened	Date Last Updated	View
BILINSKI, David Michael *ROYAL BANK OF CANADA v BILINSKI, Lorraine*	Supreme Supreme Civil (General)	Campbell River Law Courts	4749	31May2001	20Jun2001	View
BILINSKI, David Michael *ROYAL BANK OF CANADA v BILINSKI, David*	Supreme Supreme Civil (General)	Duncan Law Courts	7522	13Jan2000	02Mar2000	View
BILINSKI, David Michael *BOSCHER CONSTRUCTION LTD v DIAMOND 4 RANCH LTD*	Supreme Foreclosure	Vancouver Law Courts	H990228	10Feb1999	06Jul2001	View
BILINSKI, David Michael *BILINSKI, David v FLICK, Edith*	Supreme Supreme Civil (General)	Vernon Law Courts	16384	01May1996	16Nov1999	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Vernon Law Courts	25128	20Apr2000	25Feb2002	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Vernon Law Courts	25305	18May2000	01Dec2000	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Kelowna Law Courts	51709	14Dec2000	25Jul2002	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Kelowna Law Courts	51711	14Dec2000	25Jul2002	View
BILINSKI, David Michael *B.J. CARNEY & COMPANY LTD., v 352653 B.C. LTD.,*	Supreme Supreme Civil (General)	Salmon Arm Law Courts	3826	02Mar1995	02Mar1995	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Nelson Law Courts	8664	07Feb2000	14Feb2000	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Nelson Law Courts	8818	01May2000	22Mar2001	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Nelson Law Courts	8819	01May2000	23Mar2001	View
BILINSKI, David Michael *KOKANEE MORTGAGE MIC LTD., v COLUMBIA OSTRICH FARM LTD,*	Supreme Supreme Civil (General)	Nelson Law Courts	9021	08Aug2000	09Apr2001	View
BILINSKI, David Michael *DAVIES, Ethel v DIAMOND 4 RANCH LTD.,*	Supreme Supreme Civil (General)	Nelson Law Courts	9322	27Dec2000	29Jul2004	View
BILINSKI, David Michael	Supreme Supreme Civil (General)	Rossland Law Courts	1846	26Feb1992	26Feb1992	View
BILINSKI, David Michael *KOKANEE MORTGAGE MIC LTD v BILINSKI, David*	Supreme Supreme Civil (General)	Nelson Law Courts	13950	24Dec2007	24Sep2008	View
BILINSKI, David Michael *SASHINN LAW CORPORATION v DIAMOND 4 HOLDINGS LTD. (INC. NO. 567327)*	Supreme Foreclosure	Kelowna Law Courts	86857	30Mar2010	20May2010	View
BILINSKI, David Michael *CANADIAN WESTERN TRUST COMPANY, IN TRUST v 0840317 BC LTD.*	Supreme Foreclosure	Kamloops Law Courts	44287	19May2010	19May2010	View

According to Court Services Online (CSO), David Michael Bilinski has been involved in dozens of lawsuits, including several other foreclosures. This doesn't come across as being particularly responsible.

- February 1999 in Vancouver (H990228)
- March 2010 in Kelowna (86857)
- May 2010 in Kamloops (44287)
- May 2012 in Kelowna (95163)
- January 2013 in Vernon (50615)
- September 2013 in Vernon (51343)
- December 2015 in Nelson (19101)
- February 2016 in Kelowna (110087)
- October 2022 in Nelson (22450)

Worth noting: Nelson, Kamloops, Kelowna and Vernon are all within driving distance of each other. It's roughly the same area in B.C.

Unless this is a bizarre coincidence, and it's *some other* David Bilinski, there are questions about how productively donation money will be used. And where it will be going.

Writs Against Rocky Mountain Ostrich Enterprises Ltd.

According to paragraph 6 of Karen Espersen's Affidavit in the CFIA cases:

"***In 1995 my husband and I began managing quarantines for Rocky Mountain Ostrich. Subsequent to that we operated a farm with 200 breeding ostriches. We focused on the benefits of ostrich farming, and studied the psychology and physiology of the ostrich.***"

It seems the company wasn't all that well managed, because there were 2 certificates filed in Federal Court years ago, seeking seizure of assets to pay debts.

ITA-8475-96: Writ of Fieri Facias issued to Sheriff of Alberta
ITA-12258-02: Writ of Seizure and Sale issued to Sheriff of British Columbia

For reference, a Writ of Fieri Facias is the same as an order to seize and sell a debtor's property in order to satisfy a Court judgement for debt or damages. A request has been made to obtain the actual documents.

Note: All of the dates listed can be confirmed by searching the respective cases on the Federal Court website. It keeps a detailed listing of all significant events.

Similarly: British Columbia also has an extensive online system, although most of it is paywalled. Still, determined sleuths can find information for minimal costs.

Now, with all the attention centered around protecting ostriches, it seems that few have bothered to look into the people asking for money. All of this is public record, and easy enough to find. But for some reason, leading figures in the "alternative media" haven't. Why aren't: (a) Viva Frei; (b) Juno/True North; (c) Press For Truth; (d) Rebel; (e) Liberty Talk, and others, asking such questions?

If you want hard truth, contact your local Twitter troll.

Or, perhaps David Dickson.

ESPERSEN/RBC FORECLOSURE:

(1) Espersen RBC Petition (November 2012)

(2) Espersen RBC Requisition (February 2013)

(3) Espersen RBC Notice Of Hearing (February 2013)

(4) Espersen RBC Requisition By Interested Party (August 2023)

QUIGLEY/ESPERSEN COURT DOCUMENTS:

(1) Espersen Notice Of Civil Claim (November 2021)

(2) Espersen Response To Civil Claim (November 2021)

(3) Espersen Amended Response To Civil Claim (April 2023)

(4) Espersen Notice Of Application To Extend Time Counterclaim (February 2024)

(5) Espersen Order For Extension To File (March 2024)

(6) Espersen Counterclaim (March 2024)

(7) Espersen Response To Counterclaim (March 2024)

(8) Espersen Notice Of Trial (May 2024)

(9) Espersen Requisition To Adjourn (April 2025)

(10) Espersen Notice Of Trial (April 2025)

(11) Espersen Consent To New Trial Date (May 2025)

BILINSKI/ESPERSEN/0752063 B.C. LTD FORECLOSURE:

(1) Espersen 0752063 Petition October 2022

(2) Espersen 0752063 Consent Order For Foreclosure (June 2023)

(3) Espersen 0752063 Notice Of Application (November 2023)

(4) Espersen 0752063 Order (November 2023)

(5) Espersen 0752063 Notice Of Application (July 2024)

(6) Espersen 0752063 Application Response (August 2024)

(7) Espersen 0752063 Requisition August 2024

(8) Espersen 0752063 Requisition GENERAL August 2024

FEDERAL COURT WRITS: $61,134 in 1996 and $24,310 in 2002

(1) Rocky Mountain Ostrich AB Certificate (1996)

(2) Rocky Mountain Ostrich AB Request (1996)

(3) Rocky Mountain Ostrich AB Writ of Fieri Facias (1996)

(4) Rocky Mountain Ostrich BC Certificate (2002)
(5) Rocky Mountain Ostrich BC Requisition (2002)
(6) Rocky Mountain Ostrich BC Writ Of Seizure And Sale (2002)

FEDERAL COURT DOCUMENTS (CFIA):
(1) Ostrich Notice Of Application Certified (January, 2025)
(2) Ostrich Notice Of Application (January, 2025)
(3) Ostrich Notice Of Motion (January, 2025)
(4) Ostrich Bilinski Affidavit (January, 2025)
(5) Ostrich Espersen Affidavit (January, 2025)
(6) Ostrich Pelech Affidavit (January, 2025)
(7) Ostrich Jones Affidavit (January, 2025)
(8) Ostrich Responding Motion Record (January, 2025)
(9) Ostrich Responding Motion Record Expedited (February, 2025)
(10) Ostrich Motion Record Ex-Parte (February, 2025)
(11) Ostrich Exemption Notice Of Application (February, 2025)
(12) Ostrich Exemption Motion Record (February, 2025)
(13) Ostrich Ruling Of Justice Zinn (May, 2025)

MONEY:
(1) https://bcrising.ca/save-our-ostriches/
(2) https://www.gofundme.com/f/help-ostrich-farmers-fight-to-save-herd-from-avian-flu?attribution_id=sl%3A80e09934-7413-429b-acfb-2f7015cc19d3&lang=en_CA
(3) https://www.givesendgo.com/save-our-ostriches
(4) https://www.kinexus.ca/

CANADA, GRIFTERS, OSTRICHES, PROCEDURAL

One Reply to “Universal Ostrich Farms, Part 4: Foreclosures Worth Looking Into”

Gordon S Watson

JUNE 5, 2025 AT 2:19 PM

re >>>> British Columbia also has an extensive online system, although most of it is paywalled. Still, determined sleuths can find information for minimal costs. <<<

At the library in the Courthouse downtown Vancouver (3rd floor) and also Victoria (5th floor), a member of the public can use the Court services Online software, for free.
Then print out directly from it, for 25 cents per page